

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

CIVIL ACTION NO.: 5:19-cv-00327-FL

MANUEL TORRES,  
Plaintiff,

vs.

TRACY LYNN CARTER, in his official  
capacity as Lee County Sheriff; TOWN  
OF SILER CITY, NORTH CAROLINA;  
and TOWN OF APEX, NORTH  
CAROLINA,  
Defendants.

**JOINT MOTION FOR STIPULATED  
CONSENT PROTECTIVE ORDER**

**NOW COME** Defendants Sheriff Tracy Lynn Carter (“Sheriff Carter”), Town of Siler City (“Siler City”) and Town of Apex, North Carolina (“Apex”) (collectively “Defendants”) and Plaintiff Manuel Torres (“Plaintiff”) (collectively the “Parties”) by and through their undersigned counsel and, pursuant to Local Rule 7.1 and Rule 26(c) of the Federal Rules of Civil Procedure, move this Court for entry of a Stipulated Consent Protective Order (attached as Exhibit A) (“Consent Protective Order”). In support of this Motion, the Parties show the Court as follows:

1. Counsel for the Parties have conferred and agree that information potentially relevant to the claims and defenses asserted in this action and likely to be the subject of discovery in this matter include information of a confidential nature including, but not limited to: (a) Plaintiff’s non-public financial records, and other non-public documents that include financial information; (b) the personal information of Siler City and Apex’s employees or former employees including, but not limited to, social security numbers, personal addresses, personal telephone numbers, tax information, financial information and personnel records; (c) confidential

proprietary business and proprietary information including, but not limited to, confidential information regarding Siler City and Apex; (d) the personal information of Sheriff Carter and any present or former Lee County Sheriff's deputy, detention officer or other personnel, along with any employee, agent or representative of Lee County, North Carolina, such information including, but not limited to, social security numbers, personal addresses, personal telephone numbers, tax information, financial information and personnel and/or training records; and (e) such other information as the Parties deem in good faith to be Confidential, which qualifies for protection pursuant to Rule 26(c) of the Federal Rules of Civil Procedure.

2. The Consent Protective Order would expedite the flow of discovery materials, facilitate the prompt resolution of discovery disputes and confidentiality concerns, protect certain material designated as confidential ("Confidential Materials") and ensure that protection is afforded only to material so designated as confidential.

3. Counsel for the Parties have conferred and agree that the Confidential Materials are potentially relevant to the claims and defenses asserted in this action, that the Parties have a substantial need of them, but recognize that access to the materials should be restricted, and that restriction of the dissemination of Confidential Materials in this matter is necessary to avoid harm to Plaintiff and/or Defendants.

4. The Parties have also agreed to disclosure of City and/or County personnel records and law enforcement investigative reports upon appropriate request and subject to N.C. Gen. Stat. § 153A-98, § 132.1-4 and § 160-168A.

5. As a result, counsel for the Parties have conferred and agree to the entry of the Consent Protective Order, which is attached as an exhibit to the motion.

6. This motion is supported by "good cause."

**WHEREFORE**, for the foregoing reasons, the Parties respectfully request that its Joint Motion for Stipulated Consent Protective Order be GRANTED; and that the proposed Stipulated Consent Protective Order be signed and entered by this Court.

Respectfully submitted, this the 14<sup>th</sup> day of November, 2019.

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**CERTIFICATE OF**  
**SERVICE**

The undersigned counsel certifies that on November 14, 2019, the foregoing *Joint Motion for Stipulated Consent Protective Order* was electronically filed with the Clerk of the Court, using the Court's CM/ECF electronic service system, which will send notification of such filing as follows:

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